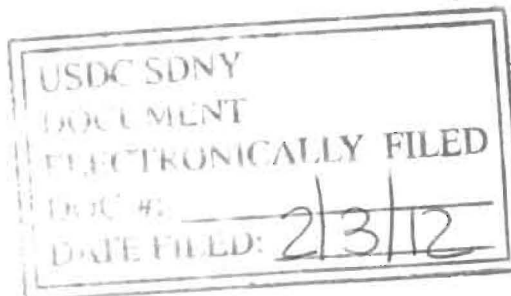


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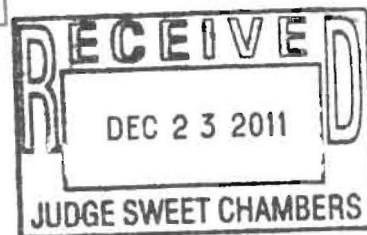
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December 23, 2011



**BY HAND DELIVERY**

Honorable Robert W. Sweet  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007



***Jeffrey Durante v. Kellner DiLeo & Co. LLC, et. al., No. 11 Civ. 9024***

Your Honor:

We represent Defendants Kellner DiLeo & Co., LLC (f/k/a Kellner DiLeo Cohen & Co., LLC), KDC Investment Management, LP, George Kellner, Rory Zirpolo and Glen Friedman in the above-referenced case. Pursuant to Rule 2(B) of Your Honor's Individual Practices, please find enclosed courtesy copies of Defendants' Notice of Motion for Partial Judgment on the Pleadings and supporting Memorandum of Law. Because the motion is based on the pleadings, we also submit for Your Honor's convenience courtesy copies of Plaintiff's Complaint and Defendants' Answer.

Pursuant to Rule 2(E) of Your Honor's Individual Practices, the Notice of Motion designates Wednesday, January 18, 2012, at 12 noon, for oral argument on Defendants' Motion for Partial Judgment on the Pleadings.

Respectfully yours,

Jyotin Hamid

cc: Robert L. Kraselnik, Esq.

Enclosures

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